

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
BRETT COMBS,  
Defendant.

Case No. 2:10-CR-0173-KJD-RJJ

## ORDER

10 Currently before the Court is Defendant's Motion to Suppress (#20). The Government filed a  
11 Response in Opposition (#22), no reply was filed. On September 28, 2010, Magistrate Judge Robert  
12 J. Johnston held an Evidentiary Hearing on the Motion (see #27), and on December 23, 2010, issued  
13 a Report and Recommendation (#40), recommending that the Court deny the Defendant's Motion.  
14 Subsequently, Defendant and his counsel both filed Objections (##44, 46), to the Magistrate Judge's  
15 Report and Recommendation, to which the Government filed a Response (#50).

16 The Court has conducted a *de novo* review of the record in this case in accordance with 28  
17 U.S.C. § 636(b)(1) and LR IB 3-2. The Court finds that the Report and Recommendation of  
18 Magistrate Judge Robert J. Johnston entered on December 23, 2010, should be adopted and affirmed  
19 in whole.

20           **IT IS THEREFORE ORDERED** that the Magistrate Judge's Report and Recommendation  
21 (#40) entered December 23, 2010, is **ADOPTED** and **AFFIRMED**, and Defendant's Motion to  
22 Suppress (#20) is **DENIED**.

23 DATED this 10th day of March 2011.

*[Signature]*

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Kent J. Dawson  
United States District Judge